

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

IN RE: REFRIGERANT COMPRESSORS)	No. 2:09-md-2042
ANTITRUST LITIGATION)	
)	MDL No. 2042
THIS DOCUMENT RELATES TO:)	Honorable Sean F. Cox
<i>General Electric Company v. Whirlpool Corporation et al.</i>)	Case No. 2:13-cv-12638

STIPULATED ORDER REGARDING EXTENSION OF TIME TO FILE MOTION TO STAY AND TO ANSWER OR OTHERWISE RESPOND TO COMPLAINT

This matter having come before the Court upon the stipulation of General Electric Company (“GE”); Whirlpool Corporation, Whirlpool S.A., and Embraco North America, Inc. (together, the “Embraco Defendants”); and Danfoss A/S, Danfoss Flensburg GmbH and Danfoss, LLC (together, the “Danfoss Defendants”) (GE, the Embraco Defendants and the Danfoss Defendants are collectively referred to herein as the “Parties”), as evidenced by the signatures of the Parties’ counsel below; and

The Court being otherwise fully advised in the premises hereof:

IT IS HEREBY ORDERED that:

1. The Embraco Defendants will, and the Danfoss Defendants may, file a motion to stay litigation pending arbitration in *General Electric Co. v. Whirlpool Corp. et al.*, Case No. 2:13-cv-12638 on or before August 16, 2013; and
2. GE’s opposition to any motions filed per paragraph 1 shall be filed within 30 days of the filing of such motions; and

3. The Embraco Defendants' and the Danfoss Defendants' replies in further support of their respective motions filed per paragraph 1 shall be filed within 14 days of GE's filing its oppositions as described in paragraph 2; and

4. If the Court denies the Embraco Defendants' motion filed per paragraph 1, the Embraco Defendants shall thereafter be entitled to file motions to dismiss or to otherwise respond to GE's Complaint, ECF No. 1, on a schedule to be agreed to by GE and the Embraco Defendants or ordered by the Court; and

5. If the Court denies the Danfoss Defendants' motion filed per paragraph 1, the Danfoss Defendants shall thereafter be entitled to file motions to dismiss or to otherwise respond to GE's Complaint, ECF No. 1, on a schedule to be agreed to by GE and the Danfoss Defendants or ordered by the Court; and

6. If the Danfoss Defendants do not file a motion per paragraph 1, the Danfoss Defendants will file a response to the GE's Complaint, ECF No. 1, on or before August 16, 2013, and the GE and the Danfoss Defendants will follow a briefing schedule as outlined in paragraphs 2 and 3 above.

SO ORDERED:

Dated: July 23, 2013

s/ Sean F. Cox
Sean F. Cox
U. S. District Judge

Stipulated to and approved by:

Dated: July 5, 2013

Respectfully submitted,

CROWELL & MORING

By: /s/ David M. Schnorrenberg (with consent)

David M. Schnorrenberg
1001 Pennsylvania Avenue, NW
Washington, DC 20004
Tel: (202) 624-2500
Fax: (202) 628-5116
dschnorrenberg@crowell.com

Counsel for Plaintiff

DYKEMA GOSSETT PLLC

By: /s/ Howard B. Iwrey

Howard B. Iwrey (P39365)
James P. Feeney (P13335)
39577 Woodward Avenue, Suite 300
Bloomfield Hills, Michigan 48304
Tel: (248) 203-0841
Fax: (248) 203-0763
hiwrey@dykema.com
jfeeney@dykema.com

**CLEARY GOTTLIEB STEEN &
HAMILTON LLP**

David I. Gelfand
Matthew Slater
Brian Byrne
Larry Work-Dembowski
2000 Pennsylvania Avenue, NW
Washington, DC 20006
Tel: (202) 974-1500
Fax: (202) 974-1999
dgelfand@cgsh.com
mslater@cgsh.com
lbrannon@cgsh.com
bbyrne@cgsh.com

Counsel for the Embraco Defendants

VARNUM

By: /s/ John W. Allen (with consent) _____

John W. Allen (P10120)

251 North Rose Street, 4th Floor

Kalamazoo, Michigan 49007-3823

Tel: (269) 382-2300

Fax: (269) 382-2382

jwallen@varnumlaw.com

ANDERSON KILL & OLICK, P.C.

Lawrence Kill

Jeffrey Glen

1251 Avenue of the Americas

New York, New York 10020

Tel: (212) 278-1722

Fax: (212) 278-1733

Lkill@andersonkill.com

Jglen@andersonkill.com

Counsel for the Danfoss Defendants